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*Attorneys for Plaintiff Jeremy Stanfield  
and the Proposed Class*

**UNITED STATES DISTRICT COURT  
NORTHER DISTRICT OF CALIFORNIA**

Case No. 3:20-cv-07000-WHA

JEREMY STANFIELD, on behalf of himself  
and all others similarly situated,

Plaintiff,

v.

TAWKIFY, INC.

Defendant.

**PLAINTIFF'S RESPONSE TO  
DEFENDANT TAWKIFY, INC.'S  
REQUESTS FOR ADMISSION, SET ONE**

1 **REQUEST FOR ADMISSION NO. 15):**

2 Admit YOU did not request a cancellation from TAWKIFY within three (3) days of  
3 entering into a CLIENT AGREEMENT with TAWKIFY to purchase a six-match package.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 15**

5 Plaintiff objects to the request on grounds that the request is vague and ambiguous.  
6 Plaintiff objects to the request to the extent that Defendant's directions are contrary to Plaintiff's  
7 obligations under Fed. R. Civ. Proc. 36. *See* Civ. Local R. 36-2 ("**Commentary** *Under Fed. R.*  
8 *Civ. P. 36, a party is not required to set forth the basis for an unqualified denial.*").

9 Subject to and without waiving the foregoing objection(s), and subject to the Preliminary  
10 Statement above, Plaintiff responds as follows: Deny.

11 **REQUEST FOR ADMISSION NO. 16):**

12 Admit YOU did not seek cancellation of YOUR CLIENT AGREEMENT with  
13 TAWKIFY by reason of a disability.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 16**

15 Admit.

16 **REQUEST FOR ADMISSION NO. 17):**

17 Admit YOU did not seek cancellation of YOUR CLIENT AGREEMENT with  
18 TAWKIFY by reason of YOUR death.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 17**

20 Admit.

21 **REQUEST FOR ADMISSION NO. 18):**

22 Admit YOU exchanged COMMUNICATIONS with TAWKIFY on or after July 17, 2020  
23 about continuing to use TAWKIFY's matchmaking services, including meeting YOUR third  
24 match.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 18**

26 Plaintiff objects to the request on grounds that it seeks information that is not relevant to  
27 the subject matter of the litigation nor reasonably calculated to lead to the discovery of

1 Plaintiff objects that the request as phrased is compound and misleading as to the  
2 meaning of “REFUND POLICY . . . applicable to YOU.” Plaintiff objects to the request to the  
3 extent that Defendant’s directions are contrary to Plaintiff’s obligations under Fed. R. Civ. Proc.  
4 36. *See* Civ. Local R. 36-2 (“**Commentary** *Under Fed. R. Civ. P. 36, a party is not required to*  
5 *set forth the basis for an unqualified denial.*”).

6 Subject to and without waiving the foregoing objection(s), and subject to the Preliminary  
7 Statement above, Plaintiff responds as follows: Plaintiff admits only that Exhibit C contains the  
8 following sentence that includes an email address: “Please click here or email our Customer  
9 Success Team at customersuccess@tawkify.com for questions about this policy or assistance.”  
10 Plaintiff otherwise denies. Plaintiff denies that this email address is “for cancellations.”  
11

12 Dated: May 21, 2021

Respectfully submitted,

13 OLIVIER SCHREIBER & CHAO LLP  
14 CONN LAW, P.C.

15 By: /s/Elliot Conn  
16 Elliot Conn

17 *Attorneys for Plaintiff and the proposed Class*  
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**DECLARATION OF SERVICE BY E MAIL**

I, the undersigned, declare:

That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of Contra Costa, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 354 Pine Street, 5<sup>th</sup> Floor, San Francisco, California 94133.

That on May 21, 2021, declarant served by e-mail a true and correct copy thereof of the following documents:

**PLAINTIFF'S RESPONSES TO DEFENDANT TAWKIFY, INC.'S  
INTERROGATORIES TO PLAINTIFF, SET ONE**

**PLAINTIFF'S RESPONSES TO DEFENDANT TAWKIFY, INC.'S REQUEST  
FOR PRODUCTION OF DOCUMENTS, SET ONE**

**PLAINTIFF'S RESPONSE TO DEFENDANT TAWKIFY, INC.'S REQUESTS  
FOR ADMISSION, SET ONE**

on the parties listed below:

NELSON MULLINS RILEY & SCARBOROUGH LLP

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I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

/s/ Spencer Janssen

Spencer Janssen